IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3447 OF 2004

Shivanandan Venu Petitioner

versus

Indu Shivanandan Venu Respondent

Mr.S.T.Hambre for petitioner.

Mr.Sagar Kesar i/by Harshad Palve for respondent

CORAM : S.C.DHARMADHIKARI, J.

DATE : 23rd January 2006

PC :

1. In the light of the statement of the petitioner recorded by this Court on 19th April 2004, the challenge to the order passed by the Trial Court refusing custody to the petitioner-applicant of the minor, does not survive. However, as far as access to the minor is concerned, irrespective of rejection of this application and the statement recorded by this Court, it would be open for the petitioner to move the Trial Court and seek appropriate orders with a view to meet the child as and when the

petitioner-applicant is in India. The Trial Court to decide the said application uninfluenced by the observations made during the course of the custody application and also rejection of this petition on account of the same not being pressed. Keeping all contentions of both sides with regard to access open, the petition is dismissed.

(S.C.DHARMADHIKARI, J.)